

Gathering Pumps

10. The function of a gathering (or "dewatering") pump is to pump water from local swags along the track or in the intake entry, and discharge the water into the main reservoir or into a main sump area. There are 39 gathering pumps at the mine. At the time of hearing, each was located in the track entry, outby the working sections. A gathering pump usually stays in the same place until an inby section is driven up and the longwall goes in and retreats to the area where the pump is located; then the pump is moved. They usually stay in the same place for at least one year.

DISCUSSION WITH FURTHER FINDINGS

The essential facts are not in dispute. Inspector John Paul Phillips, an electrical inspector out of MSHA's Morgantown, West Virginia, District Office, began an electrical inspection at Martinka in October, 1985. Inspector Phillips issued six § 104(a) citations for violations of 30 C.F.R. § 1105 between October 16, 1985, and January 22, 1986.

Inspector Phillips issued Citation Nos. 2703324 and 2704403 when he observed that two 20 Horsepower fresh water "booster" pumps were not housed in fireproof structures and the air currents used to ventilate the pumps were not coursed directly into the return. Citation Nos. 270328, 2704404, 2704405, and 2704406 were issued when he observed that four 10 Horsepower "gathering" pumps were not housed in fireproof structures and air currents ventilating the pumps were not coursed directly into the return. None of the pumps involved in these citations was located in a working section. Nor did any of the pumps advance with any working section.